

Jannis G. Stavrianopoul et al.

Serial No.: 08/486,070

Filed: June 7, 1995

Page 22 [Response To The May 31, 2001 Notice Of Non-Compliant Amendment (37 CFR 1.121) For Entry Of Applicants' May 9, 2001 Supplemental Amendment to Applicants' March 7, 2001 Amendment Under 37 C.F.R. §1.115 - June 7, 2001]

REMARKS

Reconsideration of this application is respectfully requested.

Claims 718-1110 were previously pending in this application. Replacement claims 975 and 1029 have been entered above. New claims 1111-1265 have been added. Accordingly, claims 718-1265 are being presented for further examination on the merits.

As indicated in the first page and the title of this paper, this is a response to the May 31, 2001 Notice of Non-Compliant Amendment (37 CFR 1.121) for the entry of Applicants' May 9, Supplemental Amendment to their March 7, 2001 Amendment Under 37 C.F.R. §1.115. The changes to the claims above and the remarks below are identical to those presented in Applicants' aforementioned May 9, 2001 Supplemental Amendment.

In response to the May 31, 2001 Notice of Non-Compliant Amendment (37 CFR 1.121), Applicants have included above a clean version of the amended claims as required by 37 CFR 1.121(c)(1)(ii). Also included and attached as Exhibit 1 is a marked-up version of the amended claims titled "Marked-Up Version Of The Amended Claims," as required by 37 CFR 1.121(c)(1)(ii). Applicants present Amendment is now believed to be in full compliance with the Simplified Amendment Practice. Replacement paragraphs/sections/claims to be used. 37 CFR 1.121 (published October 20, 2000, "Changes to the Patent Rules," Volume 1, Issue 3).

A new title has been substituted. The new title is believed to reflect more completely the subject matter of Applicants' claimed invention.

Minor errors in claims 975 and 1029 have been corrected above by entering new replacement claims. In replacement claim 975, the "solid support" in the preamble has been changed to -- composition -- . By so doing, a proper antecedent basis has been restored to the claim. In replacement claim 1029, an obvious error with respect to claim dependency

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has been corrected. As indicated above, replacement claim 1029 now properly depends from claim 1028.

Commensurate with Applicants' complete and broad disclosure, new claims 1111-1265 have been added above. Among these are new independent claims 1111 and 1193. Both are directed to a composition of matter comprising a plurality of substrate surfaces. In the case of claim 1111, the substrate surfaces comprise at least one double-stranded nucleic acid fixed or immobilized thereto, wherein at least one nucleic acid strand or a sequence therefrom comprises one or more non-radioactive chemical labels which comprise a non-radioactive signaling moiety or moieties which are quantifiable or detectable, and wherein at least one nucleic acid strand or a sequence therefrom in one of the substrate surfaces is different from at least one other nucleic acid strand or a sequence therefrom in another substrate surface. In the case of claim 1193, the substrate surfaces comprise at least one nucleic acid strand fixed or immobilized thereto, wherein at least one nucleic acid strand or a sequence therefrom in one of the substrate surfaces is different from at least one other nucleic acid strand or a sequence therefrom in another substrate surface.

Applicants wish to point out that claims 1112-1192 and 1194-1265 depend from independent claims 1111 and 1193, respectively. The language in these new dependent claims track the dependent claims presented in Applicants' March 7, 2001 Amendment. That is to say, to a significant extent, new claims 1112-1192 follow pending dependent claims 719-799 and new claims 1194-1265 follow pending dependent claims 801-872.

Entry of claims 1111-1265 is respectfully requested.

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SUMMARY AND CONCLUSIONS

Claims 1111-1265 have been added above. Replacement claims 975 and 1029 have been entered above. Accordingly, as entered and added above, claims 718-1265 are presented for further examination.

The fee for adding new claims 1111-1265 is \$10,386, based upon the large entity fee for 577 additional new claims above the 828 claims previously paid [577 claims X \$18 = \$10,386]. If this fee was previously deducted from the present Assignee's Deposit Account No. 05-1135 as a result of Applicants' filing their May 9, 2001 Supplemental Amendment, no fee or fees should be detected in order to avoid duplicate payments. No other fee or fees are believed due in connection with this filing. In the event that any other fee or fees are due, however, The Patent and Trademark Office is hereby authorized to charge the amount of any such fee or fees to Deposit Account No. 05-1135, or to credit any overpayment thereto. This is also indicated in the Transmittal form attached to this Response.

If a telephone conversation would further the prosecution of the present application, Applicants' undersigned attorney request that he be contacted at the number provided below.

Respectfully submitted,



Ronald C. Fedus
Registration No. 32,567
Attorney for Applicants

ENZO DIAGNOSTICS, INC.
c/o ENZO BIOCHEM, INC.
527 Madison Avenue, 9th Floor
New York, New York 10022
Telephone: (212) 583-0100
Facsimile: (212) 583-0150